

**AGENDA**



**Recommendation for Council Action (CLMD)**

Austin City Council	Item ID:	10793	Agenda Number	9.
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Meeting Date:	November 10, 2011
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Department:	Contract Management
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**Subject**

Authorize negotiation and execution of Amendment No. 2-A to the Design-Build Agreement with CHASCO CONSTRUCTORS, LTD., L.L.P., Round Rock, TX for a Guaranteed Maximum Price for the Deep Eddy Work Package of the PARD Aquatics Facilities Improvements project, in the amount of \$1,987,165 plus a \$50,000 Owner contingency, for a total amendment not to exceed of \$2,037,165.

**Amount and Source of Funding**

Funding is available in the Fiscal Year 2011-2012 Capital Budget of the Parks and Recreation Department.

**Fiscal Note**

A fiscal note is attached.

Purchasing Language:	
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Prior Council Action:	June 24, 2010 – Council authorized negotiation and execution of a Design-Build Agreement with Chasco Constructors for Design Phase Services; September 24, 2009 – Council authorized use of Design-Build Alternative Project Delivery Method.
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For More Information:	Robert Egan 974-7220; Marisol Claudio-Ehalt 974-7026; April Shaw 974-7141
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Boards and Commission Action:	Recommended by the Historic Landmark Commission and the Parks and Recreation Board.
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MBE / WBE:	This contract will be awarded in compliance with Chapter 2-9A of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 17.99% MBE and 3.38% WBE subcontractor participation.
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Related Items:	
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**Additional Backup Information**

The overall Austin Parks and Recreation Department (PAR) Aquatic Facilities Improvements Design-Build project consists of demolition, design and construction of the Bartholomew Municipal Pool and West Enfield Neighborhood Pool complexes including the bathhouses; and demolition, design and construction of a new pool shell integrating spring wells and ADA accessibility improvements for the Deep Eddy Municipal Pool. The proposed improvements are part of the 2006 Bond Program authorized by Austin voters on November 7, 2006.

On June 24, 2010, Council authorized negotiation and execution of a Design-Build Agreement with Chasco Constructors, LTD., L.L.P. (Chasco) in an amount not to exceed \$1,000,000 for Design Phase Services. To date, design concepts have been evaluated through various public input meetings and staff assessments; and schematic design for all three facilities has been completed. Final design for the facilities is in progress.

Now that the final design phase for Deep Eddy is sufficiently complete and the agreed-upon work package for the construction of this facility have been sufficiently developed, staff is seeking Council approval to negotiate and execute a contract amendment for a Construction Phase Guaranteed Maximum Price (GMP) Work Package for renovations at the Deep Eddy Municipal Pool complex. Design and construction of Deep Eddy is required to adhere to historical designation design parameters. In order to keep the "feel" of the pool, as requested by the Friends of Deep Eddy, the walls of the pool will remain intact. The floor, decks and piping will be replaced to help maintained structural stability and to provide a better patron experience. Apart from this D-B Agreement, PAR in conjunction with the Friends of Deep Eddy (FODE) will also be implementing a separate project for the design and construction of a pavilion type structure as an accessory amenity east of the existing bath house.

The current timeline for construction at Deep Eddy Municipal Pool indicates that work will begin in mid November 2011 and be substantially complete by the end of March 2012. Due to the potential for changes in the scope of work during construction that under a traditional delivery model would occur before the construction contract is awarded; a \$50,000 Owner contingency funding has been included to allow for the expeditious processing of any change orders.

Additionally, Staff will return to Council with recommended contract amendments for the construction at West Enfield and Bartholomew when design for these facilities is sufficiently complete and agreed-upon work packages for construction services have been sufficiently developed.

MBE/WBE Participation: Due to the nature of a design-build contract and the varied scope for each facility, there will be separate sets of MBE/WBE sub-contracting goals established for this project. The first set of goals for Preliminary Phase (Design / Pre-Construction Services) using the MBE/WBE Ordinance for Professional Services, Chapter 2-9B was issued with the initial contract solicitation. The goals for the preliminary phase services were: 1.90% African American, 9.00% Hispanic American, 4.90% Native/Asian American, and 15.80% WBE. To date the Design-Builder's M/WBE participation is: 0.20% African American, 4.20% Hispanic American, 1.00% Native/Asian American, and 7.34% WBE. Subsequently goals will be established following the MBE/WBE Ordinance for Construction, Chapter 2-9A for each of the three separate pool complex work packages. These goals are tracked and reported separately.

GMP Amendment 2-A, Construction Phase Goals (Deep Eddy): Separate MBE/WBE goals were established by SMBR for taking into consideration the specialized swimming pool, structural, historical and environmental aspects of the proposed improvements at Deep Eddy Municipal Pool. The participation goals for construction are: 1.27% African American, 2.27% Hispanic American, 2.88% Native/Asian American, and 1.74% WBE. The Design-Builder's compliance plan for the proposed work meets the goals with 6.99% African American, 6.89% Hispanic American, 4.11% Native/Asian American, and 3.38% WBE participation.

